IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 23597 of 2004

Between:

Bethi Nagaraju, S/o. Narsiah,
R/o. H.No. 1-123/4, Chinna Metpally, Korutla Mandal, Karimnagar Distrit.

..... PETITIONER

AND

The Regional Passport Office, Near Clock Tower, Secunderabad.
Rep. by its Passport Officer.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the respondent to receive the application to consider for issuance of fresh passport with correct date of birth of the petitioner, as illegal, arbitrary and violative of Article14 of the Constitution of India, and consequently direct the respondent to receive the Petitioner's application and consider for issuance of fresh passport with correct date of birth of the petitioner as 23-08-1986 as per the Secondary School Certificate, and pass such other or further orders

Counsel for the Petitioner:MR.T.DAMODAR

Counsel for the Respondent No.: MR.ARAJASHEKAR REDDY (SC FOR CG)

The Court at the stage of admission made the following :

ORDER:

The petitioner claims to have obtained a passport bearing No. E 4598173 dated 18-02-2003, valid up to 17-2-2013. The grievance of the petitioner is that his actual date of birth is 23-8-1986 and the same was wrongly recorded in his pass port as 06-08-1982 and that he has approached the respondent Passport Officer for correction of his date of birth in the Pass Port as per his school records and the respondent has refused to correct the same on the ground that he has no powers. Hence, the present writ petition for correction of date of birth in the Passport.

Heard the learned counsel for petitioner and learned Standing Counsel for respondent. Both counsel agreed for disposal of the writ petition at the admission stage.

The petitioner has not filed any documentary proof to substantiate his claim that he has approached the Passport Officer for correction of his date of birth and the same was rejected. In the absence of such evidence, it cannot be said that the respondent is not entertaining his request for correction of date of birth. There are no merits in the writ petition and the same is accordingly dismissed. However, the petitioner is at liberty to approach the respondent authority with appropriate application together with necessary documents to prove his date of birth. On filing any such application, the respondent shall consider the same and dispose of in accordance with law and circular instructions dated 18-4-2001 issued by the Ministry of External Affairs, Government of India. No costs.

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N.V.RAMANA,J

20-12-2004

Note:

Issue CC today

(B/O)

TVK

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1..The Regional Passport Officer, Hyderabad, Near Prasanth Theatre, Secunderabad

2.2CCs to

3.2CD copies

4.2CCs to

*Form-NIC-OGS/WP{**TRT**}*